

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM FOR ORDERING SOFTWARE METHODS WITHIN AN OBJECT TO BE USED IN A COMPUTER NETWORK TESTING SCENARIO**

the specification of which ☒ is attached hereto or ☐ was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. 119
---			Yes_____ No_____
			Yes_____ No_____

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	DATE OF FILING	STATUS
---		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William C. Milks, III - Reg. No. 28,445

SEND CORRESPONDENCE TO: William C. Milks, III Russo & Hale LLP 401 Florence Street Palo Alto, CA 94301	DIRECT TELEPHONE CALLS TO: (name, registration number, and telephone number) William C. Milks, III Reg. No. 28,445 (650) 327-9800
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FULL NAME OF INVENTOR	Last Name	First Name	Middle Name or Initial
Schaeffer	Mark	S.	

0906038-052901

Atty. Docket No. FIVE-1

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS:
(17 CFR 1.9(f) and 1.97(c)) **SMALL BUSINESS CONCERN**

Applicant or Patentee: Mick S. Schaeffer
 Serial No.: _____ Filing Date: _____
 Patent No.: _____ Issued: _____
 For: SYSTEM FOR ORDERING SOFTWARE METHODS WITHIN A GROUP TO BE USED IN A COMPUTER NETWORK TESTING SCENARIO

I hereby declare that I am

- ☐ the owner of the small business concern identified below;
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN Five Nine Solutions, Inc.
ADDRESS OF CONCERN 9490 Gateway Drive, Suite 200
Ashe, NV 89511

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-12, and reproduced in 57 CFR 1.93(u), for purposes of paying venture fees under section 4(a) and (c) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not average 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the number of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concern or affiliate of each other when either, directly or indirectly, one concern controls or had the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SYSTEM FOR ORIENTED SOFTWARE METHODS WITHIN AN OBJECT TO BE USED IN A COMPUTER NETWORK TESTING SCENARIO by Inventor(s) Mark S. Schaeffer described in

- [X] the application filed herewith
[] application serial no. _____, filed _____
[] patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, such individual, concern or organization having rights to the invention is listed below and the rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights in the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issues fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Thomas M. Turcotte
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING Dynalene Solutions, Inc., 9490 Gateway Drive,
Suite 200, Reno, NV 89511

SIGNATURE [Signature] DATE 6/28/01